

**REMARKS**

**I. Introduction--Claim Status**

This Amendment is submitted in response to the outstanding Office Action of December 18, 2002, and is accompanied by a Petition for Extension of Time with fee payment authorization.

The Office Action indicates that claims 36, 38-43, 45-50, 52-71, 73-78, 80-85, and 87-105 are pending (claims 57-70 being rejoined based on the allowability of linking claim 36), and claims 92-105 remain withdrawn from consideration. Applicant gratefully acknowledges the Examiner's indication that (i) claims 36, 43 and 71 would be allowable if rewritten or amended to overcome the rejections under 35 USC §112, second paragraph; and (ii) claims 38-42, 45-50, 52-70, 73-78, 80-85, and 87-91 would be allowable if rewritten to overcome the rejections under 35 USC §112, second paragraph, and to include all the limitations of the base claim and any intervening claims. Applicants have herein (1) amended claims 36, 39, 41, 43, 46, 50, 53, 55, 57, 59-64, 66-71, 74, 76, 81, 83, 88 and 90, and (2) canceled claims 58, 65, and 92-105 without prejudice or disclaimer.

Applicant respectfully requests reconsideration in view of the herewith presented amendments and remarks.

**II. The 35 USC § 112, ¶ 2 Rejections**

The Office Action rejects claims 36, 38-43, 45-50, 52-71, 73-78, 80-85 and 87-91 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly

point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner specifically identifies language believed to be indefinite, and suggests various changes to the claim language to obviate the rejections.

Based on the Examiner's suggestions, Applicants have amended the claims to remove the identified informalities, and thus submit that the § 112, ¶2 rejections have been obviated.

Applicants note that the Office Action states that claims 38-42, 45-50, 52-70, 73-78, 80-85, and 87-91 would be allowable if rewritten to overcome the rejections under 35 USC §112, second paragraph, *and to include all the limitations of the base claim and any intervening claims* (emphasis added). Applicants respectfully submit that the claims are of proper form insofar as they satisfy 35 USC § 112, ¶ 2, and thus these claims need not be rewritten to expressly recite the limitations of the base claim and any intervening claims. See, In re Faust, 86 USPQ 114, 115 (1943) (The acid test to which a claim should be subjected to determine the acceptability of its form is one of particularity and distinctness with which it points out the field forbidden to the public.”).

Applicants respectfully request withdrawal of the § 112, ¶ 2, rejections.

### III. Objection to the Specification

The Office Action objects to the specification under 37 CFR 1.75(d)(1) for allegedly failing to provide proper antecedent basis for the claimed subject matter, viz., the projecting system and the image generator. First, Applicant has amended the claims for additional clarity by reciting “a liquid crystal panel” instead of “an image generator”. A liquid crystal panel is clearly shown and described with reference to the drawings, e.g., identified by reference numerals 254 and 256 in Fig. 3. Also, a

projecting system is clearly shown and described with reference to the drawings, see, Figure 3 and corresponding description. Accordingly, Applicant respectfully submits that this objection should be withdrawn.

**IV. Objection to the Drawings**

The Office Action objects to the drawings under 37 CFR 1.83(a) for allegedly failing to show all features of the claimed invention, viz., the image generator. Applicant has amended the claims for additional clarity by reciting "a liquid crystal panel" instead of "an image generator". Since a liquid crystal panel is clearly shown in the drawings, e.g., identified by reference numerals 254 and 256 in Fig. 3, Applicant respectfully submits that this objection is obviated and rendered moot and thus should be withdrawn.

**V. Conclusion**

In view of the above amendments and remarks, Applicants respectfully submit that the application is in condition for allowance. Reconsideration and withdrawal of the Examiner's rejections is respectfully requested and allowance of all pending claims is respectfully submitted. If any outstanding issues remain, or if the Examiner has any suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number below.

**AUTHORIZATION**

The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to

**Docket No. 1232-4046US2**  
Amdt. Submitted May 19, 2003

**Appl. No. 08/936,182**  
Reply to Office Action of Dec. 18, 2003

Deposit Account 13-4500, Order No. 1232-4046US2.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Assistant Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-4046US2.

Respectfully submitted,

Morgan & Finnegan, L.L.P.

Date: May 19, 2003

By:



David V. Rossi  
Reg. No. 36,659

**MAILING ADDRESS:**  
MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, New York 10154  
(212) 758-4800 Telephone  
(212) 751-6849 Facsimile